

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of May 16, 2019

Board Members Present:

Vice Chairman: Jose Gonzales, RCP
Michael Beller, Public Member
Alan Crawford, RCP
Leslie Easley, Dr.

Board Members Absent:

Board Chairman: Tracy
Cagan, RCP
Kathy Rineer, RCP

Staff Present:

Executive Director:
Jack Confer
Licensing Administrator:
Kathy Stone

Legal Counsel Present:

Frankie Shinn-Eckberg, AAG

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of May 16, 2019

I. CALL TO ORDER

The Meeting was called to order at 9:00AM by Board Vice Chairman Gonzales.
A 5 minute break was taken at 10:38AM.

II. CONSENT AGENDA

There being no items requested to be removed, a motion was made to approve all items on the Consent Agenda.

MOTION: Board Member Crawford to approve items A – H. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

A. APPROVAL OF MINUTES

Recommended for Approval
Regular Session Minutes from April 18, 2019

B. ACTION ON APPLICATIONS FOR LICENSURE

Recommended for approval by the Executive Director

Destiney Alcantar	Nancy Alvarado	Tressler Davis	Maritza Escobedo
Victoria Forbord	Kara Garrouette	Melissa Golec	Cynthia Holman
Jennifer Martinez	Virgil Shoemaker	Stephanie Stitt	Eric Straughn
John Szanto	Shanice Williams		

C. ACTION ON ADMINISTRATIVE CLOSURE OF APPLICATION FILES

Recommended for closing of application files

Mary Adams	Miki Bodily	John Gobbert	Kuianna Lewis-Gonzales
Nicole Rose	Craig Smith	Hana Christenson	Amy Fulton
Joann Cassell			

D. ACTION ON ADMINISTRATIVE CLOSURE OF 90-DAY INACTIVE FILES

Recommended for closing of inactive files

Pam Andrade	Amanda Callen	Vicki Campbell	Mark Davis
Teresa Fincher	Sharon Gutierrez	Jerry Harbin	Maria La Guardia
David Lewis	Logan Linarte	Robert Reagan	Leslie Steinbeck
Mary Ellen Westlake	Ruth Zedalis		

E. ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Tanya Andriso	Julio Bautista	Stephen Casarez	David Cash
Allyson Dixon	Kristin Dunavant	Arcenio Galindo	Lisa Johnican
Rebecca Kerestes	Jeffery Kogerup	Christopher Martin	Thomas McCarthy
Sarah Rhodes	Sandra Sandusky	Cynthia Sedillos	Natalie Sharka
Samantha Trace	Douglas Varland		

F. ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal:

Melissa Guerra	Jennifer Huston	Laura Leinweber	Annette Lindell
Tran Nguyen			

G. DISCUSSION/ACTION ON RATIFICATION OF CONSENT AGREEMENTS

1.	Taylor, Tina	Case# 2019-RCE-0068
2.	Zambrano, Alex	Case# 2019-RCE-0103
3.	Torres, Eric	Case# 2019-RCE-0101
4.	Grace, Carrie	Case# 2019-RCE-0091
5.	Reyes, Henry	Case# 2019-RCE-0096
6.	Stoltz, Sharon	Case# 2019-RCE-0099
7.	Erskine, Rhonda	Case# 2019-RCE-0033
8.	Lindell, Annette	Case# 2019-RCE-0018
9.	Worley, Audra	Case# 2019-RCE-0102
10.	Garcia, Daniel	Case# 2019-RCE-0090
11.	Sotelo, Jim	Case# 2019-RCE-0098
12.	Teferra, Metadel	Case# 2019-RCE-0100
13.	Herrera, David	Case# 2019-RCE-009
14.	Racpan, Patrick	Case# 2019-RCE-0095
15.	Dominguez, Mauro	Case# 2019-RCE-0088
16.	Estes, Blake	Case# 2019-RCE-0089
17.	Pacaonces, Jhona	Case# 2019-RCE-0094
18.	Eide, Zeke	Case# 2019-RCE-0083
19.	Salazar, Abigail	Case# 2019-RCE-0062
20.	Webb, Dawn	Case# 2019-RCE-0071

21. Hernandez, Ana Marie Case# 2019-RCE-0034

H. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, June 20, 2019 at 9:00AM.

FINAL

III. REGULAR AGENDA

A. DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

B. REVIEW, CONSIDERATION AND POSSIBLE ACTION/VOTE REGARDING MOTION TO RESCIND PRIOR DECISION TO HOLD A FORMAL ADMINISTRATIVE HEARING

1. Jackson, Shacora Case# 2019-RCE-0017

Vice Chairman Gonzales announced the case. RCP Jackson was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Easley to rescind order for Formal Hearing. Seconded by Board Vice Chairman Gonzales.

VOTE: Motion passed (4-0).

MOTION: Board Member Easley administratively closed this case. Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

C. CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS

1. Lane, Shamarr Case Number 2019-RCE-0006

Vice Chairman Gonzales announced the case and commenced the interview at 10:12AM. RCP Shamarr was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to dismiss. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

2. Cameron, David Case Number 2019-RCE-0027

Vice Chairman Gonzales announced the case and commenced the interview at 9:04AM. RCP Cameron was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to offer a non-disciplinary consent order. If not signed, move this matter to a Formal Hearing. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

3. McBee, Marc Case Number 2019-RCE-0044

Vice Chairman Gonzales announced the case and commenced the interview at 11:09AM. RCP McBee was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

4. Ottaway, Roween Case Number 2019-RCE-0048
Vice Chairman Gonzales announced the case and commenced the interview at 11:15AM.
RCP Ottaway was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

5. Parson, Amanda Case Number 2019-RCE-0050
Vice Chairman Gonzales announced the case and commenced the interview at 11:15AM.
RCP Parson was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

6. Pelayo, Edgar Case Number 2019-RCE-0051
Vice Chairman Gonzales announced the case and commenced the interview at 11:16AM.
RCP Pelayo was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

7. Pepic, Ranko Case Number 2019-RCE-0052
Vice Chairman Gonzales announced the case and commenced the interview at 9:12AM.
RCP Pepic was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to offer a non-disciplinary consent order. If not
signed, move this matter to a Formal Hearing. Seconded by Board Vice
Chairman Gonzales.

VOTE: Motion passed (4-0).

8. Pfaff, Melissa Case Number 2019-RCE-0053
Removed from agenda.

9. Phillips, Mark Case Number 2019-RCE-0054
Vice Chairman Gonzales announced the case and commenced the interview at 11:17AM.
RCP Phillips was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

10. Ricchetti, Joseph Case Number 2019-RCE-0057
Vice Chairman Gonzales announced the case and commenced the interview at 11:17AM.
RCP Ricchetti was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

11. Snipes, Kerianne Case Number 2019-RCE-0065
Vice Chairman Gonzales announced the case and commenced the interview at 11:17AM.
RCP Snipes was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to move this matter to a Formal Hearing.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

12. Wallace, Sylvia Case Number 2019-RCE-0069
Removed from agenda.

13. Leyva, Melinda Case Number 2019-RCE-0041
Vice Chairman Gonzales announced the case and commenced the interview at 9:51AM.
RCP Leyva was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a non-disciplinary consent order with \$50
civil penalty for failure to complete 2 hours of CEUs. Payment and
completion of CEUs due within 90 days. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

14. Wilson, Christina Case Number 2018-RCE-0071
Vice Chairman Gonzales announced the case and commenced the interview at 9:15AM.
RCP Wilson was present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to issue a Decree of Censure for violation of professional conduct - abandonment of patients. Seconded by Board Member Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to issue a non-disciplinary order for 3 hours of CEUs in the areas of ethics, infection prevention and patient care within 90 days. Seconded by Board Member Beller.

VOTE: Motion passed (4-0).

D. INITIAL REVIEW, CONSIDERATION AND ACTION ON INVESTIGATION OF POSSIBLE UNPROFESSIONAL CONDUCT & POSSIBLE SUMMARY SUSPENSION PURSUANT TO A.R.S. § 32-3553(E)

1. McBee, Marc Case# 2019-RCE-0104

Vice Chairman Gonzales announced the case. RCP McBee was not present. Executive Director Confer presented a summary of the case.

MOTION: Board Member Crawford to find that the public health safety and welfare imperatively requires emergency action and to Summarily Suspend the license held by RCP McBee. Seconded by Board Vice Chairman Gonzales.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to consolidate both cases (2019-RCE-0044 & 2019-RCE-0104). Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

E. CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Lemus, Veolada Case# 2019-RCE-0012

Vice Chairman Gonzales announced the case. RCP Lemus was present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Beller to dismiss. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

2. Henkel, Trevor Case# 2018-RCE-0092

Vice Chairman Gonzales announced the case. RCP Henkel was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to move this matter to an Informal Interview.
Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

3. Petty, Michael Case# 2019-RCE-0083
Vice Chairman Gonzales announced the case. RCP Petty was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Easley to dismiss. Seconded by Board Member Crawford.

VOTE: Motion passed (4-0).

4. Starr, Mark Case# 2019-RCE-0014
Vice Chairman Gonzales announced the case. RCP Starr was not present. Executive Director Confer reviewed the allegations for the Board Members.

MOTION: Board Member Crawford to dismiss. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

F. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

Updates were given by John Confer, Executive Director and Kathy Stone, Licensing Administrator.

1. Application, Investigation & Probation Reports (Board Update & Status)
2. 2019 Legislation (Discussion & Possible Vote)
3. FY19 Budget & Update (Board Update & Status)
4. Approval of Board Policy for failure to respond to Complaints

MOTION: Board Member Crawford to approve policy. Seconded by Board Member Easley.

VOTE: Motion passed (4-0).

5. Auditor General 36 Month Follow up Report/Response
6. Summary of current events that affect the Arizona Board of Respiratory Care Examiners (This is the time for the Board Chair, Board Members or Staff to give a brief summary of current affecting the Board)

G. CALL TO THE PUBLIC

H. ITEMS TO BE PLACED ON A FUTURE AGENDA

- A matrix for repeat offenders.

I. ADJOURNMENT

Vice Chairman Gonzales adjourned the meeting at 11:48AM.

DATED this 18th day of May 2019.



Jack Confer, Executive Director

FINAL